

1 Joanna Ardalan (Bar No. 285384)  
2 jardalan@onellp.com  
3 Evan Littman (Bar No. 358272)  
elittman@onellp.com  
**ONE LLP**  
4 23 Corporate Plaza, Suite 150-105  
Newport Beach, CA 92660  
5 Telephone: (310) 437-8665  
Facsimile: (310) 943-2085  
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7 *Attorneys for Plaintiff,*  
Backgrid USA, Inc.  
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12                   **UNITED STATES DISTRICT COURT**  
13                   **CENTRAL DISTRICT OF CALIFORNIA**  
14                   **WESTERN DIVISION**

15 BACKGRID USA, INC., a California  
corporation,  
16                   Plaintiff,  
17                   v.  
18 SARAH SOKOL MILLINERY, INC., a  
New York corporation; and DOES 1-  
10, inclusive,  
21  
22                   Defendants.

Case No.: 2:25-cv-02023

**COMPLAINT FOR COPYRIGHT  
INFRINGEMENT (17 U.S.C. § 501)**

**DEMAND FOR JURY TRIAL**

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**COMPLAINT**

1 Plaintiff, Backgrid USA, Inc. (“Backgrid”), complains against Defendant,  
 2 Sarah Sokol Millinery, Inc. (“SSM”), a New York corporation, and Does 1-10  
 3 (collectively, “Defendants”) as follows:

4 **JURISDICTION AND VENUE**

5 1. This is a civil action against Defendants for acts of copyright  
 6 infringement under the Copyright Act, 17 U.S.C. §§ 101 *et seq.* This Court has  
 7 subject matter jurisdiction under 28 U.S.C. § 1331, 28 U.S.C. § 1332, 17 U.S.C. §  
 8 501(a), and 28 U.S.C. § 1338(a) and (b).

9 2. Venue is proper in this district under 28 U.S.C. §§ 1391(b) and 28  
 10 U.S.C. § 1400(a) in that the claim arises in this judicial district, and, on  
 11 information and belief, the Defendants reside and may be found in this judicial  
 12 district, and the injury suffered by Plaintiff took place in this judicial district.  
 13 Defendants are subject to the general and specific personal jurisdiction of this  
 14 Court because of their contacts with the State of California. Specifically, on  
 15 information and belief, Defendant Sarah Sokol Millinery, Inc.’s principal place of  
 16 business is located at 1612 Morton Ave. No. 3, Los Angeles, California.  
 17 Moreover, Defendant’s social media accounts and website are directed to and  
 18 consumed by Los Angeles readers.

19 **PARTIES**

20 3. Plaintiff Backgrid USA, Inc. is a California corporation with its  
 21 principal place of business located in Los Angeles, California.

22 4. Defendant Sarah Sokol Millinery, Inc. is a New York corporation with  
 23 a principal place of business in Los Angeles, California.

24 5. The true names or capacities, whether individual, corporate or  
 25 otherwise, of the Defendants named herein as Does 1 through 10, inclusive, are  
 26 unknown to Plaintiff, who therefore sues said Defendants by such fictitious names.  
 27 Plaintiff will ask leave of Court to amend this Complaint and insert the true names  
 28 and capacities of said Defendants when the same have been ascertained.

1

**FACTS COMMON TO ALL COUNTS**

2

*Backgrid and the Photographs that Frame This Dispute*

3

4. Backgrid owns and operates one of Hollywood's largest celebrity-  
 5 photograph agencies that has earned a reputation of regularly breaking scoops on  
 6 sought after celebrity news. It owns the intellectual property rights, including the  
 7 copyrights, to celebrity photographs that have been licensed to numerous top-tier  
 8 outlets, such as TMZ, Entertainment Tonight, New York Post, People Magazine,  
 9 Huffington Post, the Daily Mail, as well as many television stations, newspapers  
 10 and other prominent media outlets throughout the world. Each license has been  
 11 granted for valuable consideration, up to hundreds of thousands of dollars.

12

7. Among many other in-demand photographs, Backgrid owns coveted  
 13 photographs of celebrities, including Cardi B and Janelle Monae (hereinafter the  
 14 "Celebrity Photographs"). All rights, title and interest in the Celebrity Photographs  
 15 (the photographs at issue in this case), including but not limited to the timely  
 16 registered copyrights thereon, are owned by Backgrid.

17

8. Backgrid filed for copyright registration of the Celebrity Photographs  
 18 within 90 days of their first publication with the United States Copyright Office.  
 19 See Exhibit A.

20

*Defendant and Its Willful Infringing Activity*

21

9. Defendant Sarah Sokol Millinery, Inc. ("SSM") is a New York  
 22 corporation, owned and operated by Sarah Sokol in Los Angeles, California. SSM  
 23 creates high-fashion, couture hats for celebrities, as well as retail hats for a wider  
 24 audience of consumers. According to its website, SSM has created notable hats for  
 25 celebrities, such as a mechanical hat for Billy Porter's 2020 Grammys appearance,  
 26 and Janelle Monae's 2019 Met Gala look. SSM's work has also been featured in  
 27 magazines such as Vogue and Tatler. SSM's website and social media accounts  
 28 prominently display the Vanity Fair quote, "Milliner to the stars."

1       10. On information and belief, Defendant operates and controls an  
2 Instagram account located at @sarahsokolmillinery (“Instagram Account”) to  
3 promote its brand and business.

4       11. Defendant violated federal law by willfully infringing Backgrid’s  
5 copyrights to at least 3 photographs on, at least, the Instagram Account and SSM’s  
6 website. Attached hereto as Exhibit B and incorporated herein by reference are true  
7 and correct screenshots of the Instagram Account and SSM’s website.

8       12. Additionally, Defendant induced, caused, or materially contributed to  
9 the reproduction, distribution and public display of the Celebrity Photographs, and  
10 derivatives thereof, all while knowing or having reason to know of the  
11 infringement on its accounts were without permission, consent, or license. By  
12 uploading the Celebrity Photographs to the account, Defendant encourages its fans  
13 and followers to “share” the photographs, thus, causing others to also willfully  
14 infringe and multiplying the harm to Backgrid.

15       13. On information and belief, Defendant operates and controls the  
16 Instagram Account at all times relevant to this dispute and financially benefits  
17 from the infringement of the Celebrity Photographs displayed thereto. On  
18 information and belief, Defendant has driven significant traffic to its Instagram  
19 Account in large part due to the presence of the sought after and searched-for  
20 Celebrity Photographs that frame this dispute. All of this traffic translates into  
21 substantial ill-gotten commercial advantage and brand awareness as a direct  
22 consequence of its infringing actions.

23       14. SSM is well aware of the value of copyright-protected images. Its own  
24 website contains the © imprint at the bottom of each page, indicating that it  
25 understands and intends to avail itself of the protections of United States copyright  
26 law. SSM’s Terms and Conditions included on its website also demonstrate its  
27 understanding of copyright law. The site expressly tells visitors they must not  
28 “republishe material” from the site, “sell, rent, or sub-license material” from the

1 site, “reproduce, duplicate or copy material” from the site, or “redistribute content”  
2 from the site. By pre-emptively warning visitors not to do these things, SSM  
3 exhibits a sophisticated understanding of copyright law.

4        15. Backgrid's agent sent SSM a demand letter informing SSM that it had  
5 infringed Backgrid's copyrights and seeking a resolution to this dispute. The  
6 Parties were unable to resolve this dispute prior to litigation. Each infringement  
7 was discovered within three years from the date of filing this action.

## **FIRST CLAIM FOR RELIEF**

**(Copyright Infringement, 17 U.S.C. § 501)**

16. Backgrid incorporates hereby reference the allegations in paragraphs 1  
through 15 above.

12        17. Backgrid is the owner of all rights, title, and interest in the copyrights  
13 of the Celebrity Photographs that frame this dispute, which substantially consist of  
14 material wholly original and which are copyrightable subject matter under the laws  
15 of the United States.

18. Backgrid filed for copyright registration of the Celebrity Photographs  
within 90 days of their first publication with the United States Copyright Office.

18        19. Defendant has directly, vicariously, contributorily and/or by  
19 inducement willfully infringed Backgrid's copyrights by reproducing, displaying,  
20 distributing, and utilizing the Celebrity Photographs for purposes of trade in  
21 violation of 17 U.S.C. § 501 *et seq.*

22        20. All of the Defendant's acts are and were performed without  
23 permission, license, or consent of Backgrid.

24        21. Backgrid has identified at least 3 instances of infringement by way of  
25 unlawful reproduction and display of Backgrid's photographs (as well as the  
26 unlawful facilitation of others' reproduction of its photographs).

27        22. As a result of the acts of Defendant alleged herein, Backgrid has  
28 suffered substantial economic damage.

1        23. Defendant has willfully infringed, and, unless enjoined, will continue  
2 to infringe Backgrid's copyrights by knowingly reproducing, displaying,  
3 distributing, and utilizing its photographs by, among other things, virtue of  
4 Defendant's encouragement of the infringement and financial benefit it receives  
5 from Backgrid's copyrights.

6       24. The wrongful acts of Defendant have caused, and are causing, injury  
7 to Backgrid, which cannot be accurately computed, and unless this Court restrains  
8 Defendant from further commission of said acts, Backgrid will suffer irreparable  
9 injury, for all of which it is without an adequate remedy at law. Accordingly,  
10 Backgrid seeks a declaration that Defendant is infringing Backgrid's copyrights  
11 and an order under 17 U.S.C. § 502 enjoining Defendant from any further  
12 infringement.

13        25. The above-documented infringements alone would entitle Backgrid to  
14 a potential award of up to \$450,000 in statutory damages for the at-least 3  
15 infringed photographs, in addition to its attorneys' fees.

## **PRAYER FOR RELIEF**

17 WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

18       1. That the Defendant, and its officers, agents, servants, employees, and  
19 representatives, and all persons in active concert or participation with them, be  
20 permanently enjoined from copying, reproducing, displaying, promoting,  
21 advertising, distributing, or selling, or any other form of dealing or transaction in,  
22 any and all Photos of Backgrid;

23       2. That an accounting be made for all profits, income, receipts or other  
24 benefit derived by Defendant from the unlawful reproduction, copying, display,  
25 promotion, distribution, or sale of products and services, or other media, either  
26 now known or hereafter devised, that improperly or unlawfully infringes upon  
27 Plaintiff's copyrights pursuant to 17 U.S.C. § 504 (a)(1) & (b);

1       3.     For actual damages and disgorgement of all profits derived by  
2 Defendant from its acts of copyright infringement and for all damages suffered by  
3 it by reasons of Defendant's acts, under 17 U.S.C. § 504 (a)(1) & (b);

4       5.     For statutory damages for copyright infringement, including willful  
5 infringement, in accordance with 17 U.S.C. § 504(a)(2) & (c);

6       6.     For reasonable attorneys' fees incurred herein pursuant to 17 U.S.C. §  
7 505;

8       7.     For costs and interest pursuant to 17 U.S.C. § 504 (a)(1) & (b), 17  
9 U.S.C. § 505;

10      8.     For any such other and further relief as the Court may deem just and  
11 appropriate.

12  
13 Dated: March 7, 2025

**ONE LLP**

14 By: /s/ Joanna Ardalan

15 Joanna Ardalan

16 Evan Littman

17 *Attorneys for Plaintiff,*  
18 BackGrid USA, Inc.

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**DEMAND FOR JURY TRIAL**

Plaintiff Backgrid USA, Inc., hereby demands trial by jury of all issues so triable under the law.

Dated: March 7, 2025

ONE LLP

By: /s/ Joanna Ardalan

Joanna Ardalan

Evan Littman

*Attorneys for Plaintiff,  
BackGrid USA, Inc.*